

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Complete if Known	
				Application Number	10/668,872
				Filing Date	September 18, 2003
				First Named Inventor	Wayne P. FITZMAURICE
				Group Art Unit	1645 1638
				Examiner Name	David H. KRUSE Keith Robinson
Sheet	1	of	3	Attorney Docket Number	1328-004B

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
KOR	—	5,824,856		Masashi Mori et al.	10-20-1998
KOR	—	5,811,653		Thomas H. Turpen	09-22-1998
KOR	—	5,589,367		Jon Donson et al.	12-31-1996
KOR	—	5,316,931		Jon Donson et al.	05-31-1994
KOR	—	5,177,306		Robert J. Whitaker	06-05-1993
KOR	—	4,827,079		David A. Evans et al.	05-02-1989

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee of Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T <sup>6</sup>
		Office	Number	Kind Code (if known)			

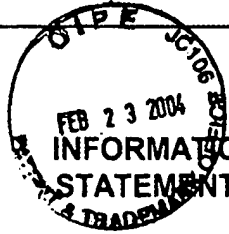
### OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>6</sup>
KOR	—	G.Z. BU et al., "Investigation on genetic traits and selection of interspecific somatic hybrid progenies in tobacco", 1989, pp 213-22, Vol. 5, No. 4, Chin J. Biotechnol (Abstract of article).	
KOR	—	S.D. KUNG et al., "The evolution of fraction i protein during the origin of a new species of Nicotiana", 1975, pp. 59-64, Vol. 7, No. 1, J Mol. Evol (Abstract of article).	

Examiner Signature	Keith O. Robinson	Date Considered	23 AUG 2003
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

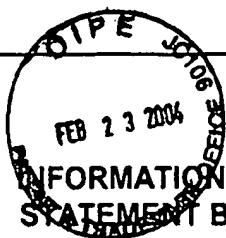
<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code. <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached. AB indicates that only an English language abstract is attached.

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<b>U.S. PATENT DOCUMENTS</b>							
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY		
		Number	Kind Code (if known)				
KOR	—	5,866,785		Jon Donson et al.	02-02-1999		
KOR	—	5,928,406		David E. Salt et al.	07-27-1999		
KOR	—	5,998,710		Gary R. Stangland	12-07-1999		
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		Office	Number	Kind Code (if known)			
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KOR	—	GRIN printout for Nicotiana excelsior (Abstract from database).	—
KOR	—	GRIN printout for Nicotiana benthamiana (Abstract from database).	—
KOR	—	H.H. SMITH, "The Genus as a Genetic Resource", pp. 1-3, 6-16, Technical Bulletin 1586, USDA.	—
KOR	—	L.G. BURK et al., "Hybridization", pp. 23-27, Technical Bulletin 1586, USDA.	—
KOR	—	K.G. CAMPBELL et al., "Construction of a designer chromosome in tobacco", 1994, pp. 837- 842, Vol. 87, Theoretical and Applied Genetics.	—
KOR	—	L. DOROSIEV et al., "Application of In-Vitro Methods in the Development of Disease Resistant Oriental Tobacco Hybrids and Lines", 1990, Vol. 23, pp. 306-315 (Abstract of article).	—

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